

Notice of Rulemaking Hearing
Tennessee Regulatory Authority

2-22
04-00072

There will be a hearing before the Tennessee Regulatory Authority to consider the promulgation of a rule pursuant to Tenn. Code Ann. §§ 4-5-202 and 65-2-102. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tenn. Code Ann. § 4-5-204 and will take place in the Hearing Room of the Tennessee Regulatory Authority located at 460 James Robertson Parkway, Nashville, TN 37243 at 1:30 p.m. (central) on the 26th day of April, 2004.

Any individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Tennessee Regulatory Authority to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (or the date the party intends to review the filings), to allow time for the Tennessee Regulatory Authority to determine how it may reasonably provide such aid or service. Initial contact may be made with the Tennessee Regulatory Authority's ADA Coordinator at 460 James Robertson Parkway, Nashville, TN 37243-0505 and 615/741-2904, extension 138.

For a copy of this notice, contact: Sharla Dillon, Docket Manager, Tennessee Regulatory Authority, 460 James Robertson Parkway, Nashville, TN 37343, (615) 741-2904, extension 136.

Substance of Proposed Rule

1220-4-1-.08 NAME CHANGES FOR PUBLIC UTILITIES.

- (1) Any public utility certificated to provide services in the state of Tennessee pursuant to Tenn. Code Ann. § 65-4-201 shall petition for approval of the Authority before doing either of the following:
 - (a) Changing the registered business name of the certificated public utility;
or
 - (b) Adopting an assumed business name under which the public utility will provide services to its Tennessee customers.
- (2) A petition for approval of either action referenced in subsection (1) above shall include the following:
 - (a) For public utilities operating as either a corporation, limited liability company, or limited partnership, verification that the certificated public utility has registered the changed or assumed business name with the Office of the Tennessee Secretary of State in compliance with the requirements of Tenn. Code Ann. §§ 48-14-103, 48-54-103, 48-207-103, or 61-2-103;

- (b) For public utilities providing telecommunications services in the state of Tennessee, verification that the changed or assumed corporate name has been recorded in the public utility's surety bond or letter of credit obtained pursuant to Tenn. Code Ann. § 65-4-125; and
 - (c) If the certificated public utility is currently serving end user customers in the state of Tennessee, a proposed notice for the Authority's approval to be sent to the utility's Tennessee customers for the purpose of informing these customers of the anticipated change in business name or adoption of an assumed business name, consistent with the requirements of TRA Rule 1220-4-02-.56(2).
- (3) At its own discretion, the Authority may waive any of the requirements of subsection (2) of this rule for good cause.

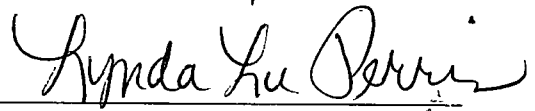
Authority: T.C.A. §§ 65-2-101, 65-4-104, 65-4-201, 48-14-103, 48-54-103, 48-207-103, and 61-2-103.

Legal/Technical Contact: J. Richard Collier
General Counsel
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37343
(615) 741-2904, extension 170

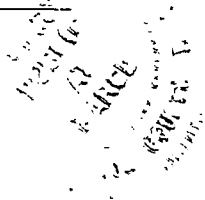
I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Regulatory Authority.


Deborah Taylor Tate
Chairman

Subscribed and sworn to before me this the 27 day of February, 2004.


Lynda Lu Perrin
Notary Public

My commission expires on the 28 day of May, 2006.



The notice of rulemaking set out herein was properly filed in the Department of State on the 27 day of Feb., 2004.



Riley C. Darnell
Secretary of State

By: _____

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